

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

LATASHA DORSEY,

Plaintiff,

V.

MICHAEL MCMUNN,

Defendant.

CIVIL ACTION NO. 5:21-CV-435 (MTT)

ORDER

Plaintiff Latasha Dorsey moves for a jury trial. When no demand for a jury has been made, “the [C]ourt may, on motion, order a jury trial on any issue for which a jury might have been demanded.” Fed. R. Civ. P. 39(b). The Court ““should grant a jury trial in the absence of strong and compelling reasons to the contrary.”” *Parrott v. Wilson*, 707 F.2d 1262, 1267 (11th Cir. 1983) (citing *Swofford v. B&W, Inc.*, 336 F.2d 406, 408 (5th Cir. 1964)).¹ The Court has broad discretion to grant Rule 39(b) motions after balancing the following factors: (1) whether the case involves issues which are best tried to a jury; (2) whether granting the motion would result in a disruption of the court's schedule or that of the adverse party; (3) the degree of prejudice to the adverse party; (4) the length of the delay in having requested a jury trial; and (5) the reason for the movant's tardiness in requesting a jury trial. *Id.* Because Hubbard did not have the

¹ The Eleventh Circuit has adopted as binding precedent the decisions of the former Fifth Circuit rendered prior to October 1, 1981. *Bonner v. City of Prichard*, 661 F.2d 1206, 1209 (11th Cir. 1981).

benefit of counsel when he filed his pro se complaint, the Court, in the exercise of its discretion **GRANTS** Dorsey's motion for a jury trial (Doc. 51).

SO ORDERED, this 27th day of August, 2024.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT